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United States Of America
District Of Vermont

United States Of America
Everett A Simpson

} Case # 219-cr-00029-wls

Motion to Dismiss Under
Rule (48) - Rule (12)

Defendant Everett Simpson Moves The Court
to Set A hearing On the grounds Of
Matthew J Lasher And Paul J Van
de Graaf The Governments Trial Counsel
That Represent The District Court Of
Vermont, In The Above Mentioned
Case

On grounds that they Violated The Dual
Sovereignty Doctrine (Petite Policy) As
they Knowingly And Vigorously Brought Federal
Prosecution, Without being Authorized As
Required Under The Act, In Spite Of State
Prosecution That Was Already Brought Against Simpson
As Well To Contest In Court The Validity

2 of 4

Of the Arrest Warrant, As Well DNA Warrant, On the Grounds Asserted here, In this Motion,

Under Rule (3) And (4) Of the Federal Rules Of Criminal Procedure, Which Is Read In Light Of the 4th Amendment

Therefore, In Violation Of Rule (3) And (4) Of the Fed Rules Of Crim P.

As Probable Cause Was Not Shown by the Complaint As A Result Of this 4th Amendment Violation, the Arrest Warrant Issued, In this Matter Was Issued Illegally

Argument

- (a) The Complaint On Which the Warrant Was Issued Was Inadequate, the Affiant FBI Agent Jerry Emmons Relied Exclusively Upon Hearsay Information As her Own, from An Affidavit That Was Known to Contain Fabricated Information.

Supreme Court

Thereby having No first hand Knowledge As Alleged In Doc 1-1 Page (1)
Giordenello VUS

357 US 480

(b) The Complaint Was In Any Event Detective In That It Recites None Of The Required Facts, Above The Basic Elements, That Make Up The Alleged Charge, With The Omitted Facts That Are Essential, As Well The Fabricated Information, Used The Complaint On Its face Was And Is Detective,

(c) This Inadequate Complaint Was Used to bring the Indictment, Knowing the facts Contained, fabricated, Information, As Well No first hand Knowledge

(d) This Complaint Was Used In Support Of The Seizing Of (DNA)

(e) This Was Done Knowingly, As the Department Of Justice Was Aware, the State Of Vermont Striped (NH) Subject Matter Over the Case, And With the likelihood And fear that State Conviction Would Not be likely, they Were forced to build A fabricated Kidnapping Case, In Violation

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Supreme Court
Petite VUS And Rinaldi VUS
Of Mr. Simpson Substantial Rights And
Clear Violation Of The Petite Policy

361 US 529
434 US 72

The Elements Of The Crime Charged
Namely The Federal Kidnapping Act
Of 2 People In Violation Of 18 USC
§ 1201(a)(1)

When The Complaint In This Case Is
Challenged With Clear Contradictions, In
Minds It Is And Will Be Clear That
It Does Not Pass The Required Muster
Of The 4th Amendment, Nor Does It
Determine Under Rule (4) That Probable
Cause Existed,

This Insufficiency Is Illustrated In
The Facts That, Lead John Curry to
Rule Probable Cause Was Found, As He
Was Mistaken, And As Well Used
Good Faith Of The FBI

Whereby Mr. Simpson Moves The Court For
A Hearing On This Motion Merits, As Well
Dismiss The Indictment Under Rule (48)
Respectfully Everett Simpson